

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code sections 17A.4, 476.2, and 477A.12, the Utilities Board (Board) gives notice that on August 11, 2017, the Board issued an order in Docket No. RMU-2016-0041, In re: Review of Certificates of Franchise Authority for Cable and Video Service Rules [199 IAC Chapter 44], “Order Adopting Amendments,” amending the Board’s rules governing certificates of franchise authority for cable and video service providers. The order adopted amendments relating to a renewal process for certificates of franchise authority as published under Notice of Intended Action in the Iowa Administrative Bulletin in Vol. XXXIX, No. 26 (6/21/17) p. 2668, as **ARC 3122C**.

The Board is undertaking a comprehensive review of its rules to ensure the rules are current and consistent with statute. Iowa Code section 477A.3(5)“d” specifies the content of a certificate of franchise authority and provides that a certificate issued by the Board is for a term of ten years and is renewable. The Board has been issuing certificates of franchise authority since 2008. The current rules do not include a renewal process. The Board recognizes the need to have a renewal process in Chapter 44 in place before the first certificates of franchise authority issued by the Board reach the end of their initial ten-year term.

The Board received written comments in response to the Notice of Intended Action from the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, and the Iowa Communications Alliance (ICA). Neither OCA nor ICA objected to the proposed amendments.

The order adopting amendments and approving this Adopted and Filed rule making can be found on the Board’s Electronic Filing System (EFS) Web site, <http://efs.iowa.gov>, in Docket No. RMU-2016-0041.

After analysis and review of this rule making, the Board concludes that the adopted amendments will not have a detrimental effect on jobs in Iowa.

These amendments are intended to implement Iowa Code sections 17A.4, 476.2, and 477A.12.

These amendments will become effective on October 4, 2017.

The following amendments are adopted.

ITEM 1. Renumber rule **199—44.7(17A,476,477A)** as **199—44.8(17A,476,477A)**.

ITEM 2. Adopt the following new rule 199—44.7(17A,476,477A):

199—44.7(17A,476,477A) Renewal of certificate of franchise authority.

44.7(1) Thirty days prior to the tenth anniversary of the issuance of the original certificate and every ten years thereafter, the certificate holder shall file with the board a notice of renewal containing the following:

- a.* An acknowledgment that the certificate holder continues to hold the certificate;
- b.* A statement that the certificate holder continues to provide cable service or video service or both in all or a portion of its approved service territory;
- c.* Any necessary updates to the address of the principal place of business, the telephone number for customer service, and the names and titles of the principal executive officers with direct authority over and responsibility for the cable or video operations;
- d.* A list of the approved areas the certificate holder currently is serving; and
- e.* A list of the areas in which the certificate holder was previously authorized to offer service but where service has ceased or never commenced.

44.7(2) The notice of renewal shall be filed using the VCA docket number in which the initial certificate was issued. The board will acknowledge the renewal by letter.

[Filed 8/4/17, effective 10/4/17]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/30/17.